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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,207	01/08/2001	Michael Stuke	HUBR1165 100	5279

24972 7590 07/02/2002  
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EXAMINER

GALLAGHER, JOHN J

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 07/02/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/647607

Applicant(s)

Examiner

Group Art Unit

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☒ Responsive to communication(s) filed on 10 MAY 2002
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 23-44 is/are pending in the application.
- ☐ Of the above claim(s) 41-44 is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 23-40 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☒ Claim(s) 23-44 are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
- ☒ Copies of the certified copies of the priority documents have been received
- in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 5
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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1. Applicants' Preliminary Amendment, filed 27 September 2000, has been received and made of record.

2. Applicants' arguments having been carefully considered, the restriction requirement imposed in the last Office action is nevertheless deemed proper for the reasons set forth therein, and is therefore hereby reiterated and made FINAL.

Claims 41-44 stand (and remain) withdrawn from further consideration by the Examiner as being directed to a non-elected invention, 37 CFR 1.142(b).

Election is made WITH traverse in Paper No. 9.

3. The disclosure is objected to because of the following informalities: Page 8 line 1 - change "Claims" to "We claim" or equivalent, as per MPEP § 601.01(m).

Appropriate correction is required.

4. Claims 23-40 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, in claim 23 (a) the term "having depressions but otherwise being smooth" in lines 6-7 is in large part redundant and repetitive in view of the term "substrate which . . . . has depressions" (already) in line 3; and (b) the term "A surface" in line 6 fails to recite JUST WHICH surface is (intended to be) covered i.e. for the instance wherein

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ONLY ONE surface has depressions therein, it is apparently this depressed surface which is (to be) covered.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 23-40 are further rejected under 35 U.S.C. § 102(e) as being (clearly) anticipated by Soane et al. (effective date AT LEAST 6-1997).

Soane et al. disclose an ADHESIVELESS process for producing bonded composite polymeric components (viz. in the form of microchanneled structures) wherein two POLYMERIC (e.g. PMMA, MYLAR etc.) substrates (at least one of which has microchannels formed therein) are contacted and THERMALLY BONDED together at a progressively applied process (i.e. lamination) temperature whose final value is slightly in excess of (i.e. 2-5°C above) the glass transition temperature of the substrate polymer, after which the bonded laminate so formed is cooled. (Fig. 5, Abstract, column 1 lines 26-27 and 51-53, column 2 lines 39-67, column 3 lines 1-9

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and 66-67, column 4 lines 1-2, 26-42 and 59-67, column 5 lines 1-23, Examples 1-2). All of the essential limitations of these claims are seen to be fairly satisfied by this reference.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. J. Gallagher whose telephone number is (703) 308-1971. The examiner can normally be reached on M-F from approximately 8:30 A.M. to 5 P.M. The examiner can also be reached on alternate N/A.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball, can be reached on (703) 308-2058. The fax phone number for this Group is (703) <sup>876-9310</sup>~~305-3599~~.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661/0662.

JJGallagher:cdc

June 19, 2002



JOHN J. GALLAGHER  
PRIMARY EXAMINER  
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